

AMENDED**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 21 2001
Returned to applicant for correction JUN 14 2001
Corrected application filed JUN 29 2001
Map filed JUN 29 2001

The applicant **Angelo Todaro** hereby make application for permission to change the **Point of Diversion, Manner & Place of Use of a Portion of** of water heretofore appropriated under **Permit No. 28201 Cert. No. 8787**

1. The source of water is **Underground**
2. The amount of water to be changed **5.0 a.f.a. (@ 0.020 cfs)**
3. The water to be used for **Quasi-Municipal Purposes**
4. The water heretofore permitted for **Irrigation & Domestic Purposes**
5. The water is to be diverted at the following point **a point in the NE¼, NE¼ of Section 35, T.20S., R.52E., M.D.M. at a point from which the Southeast corner of said Section 35 bears S 3° 54' 25" E a distance of 635.69 feet.**
6. The existing permitted point of diversion is located within **the SE¼ SE¼ of Section 14, T.21S., R.53E., M.D.B.&M., or at a point from which the Southeast corner of said Section 14 bears South 36° 36' 54" East a distance of 407.86 feet.**
7. Proposed place of use **within a portion of Section 35, T.20S., R.52E., M.D.M. (being 12.314 acres as shown on accompanying map), Nye County, Nevada. (Note: This Section is an irregular section with no aliquot parts).**
8. Existing place of use **within a portion of SE¼ SE¼ of Section 14, T.21S., R.53E., M.D.B.&M., being the SE¼, SE¼, SE¼ (being 10 acres, more or less) of said Section 14, stripping 1.0 acre.**
9. Use will be from **Jan. 1st to Dec. 31st of each year.**
10. Use was permitted from **Jan. 1st to Dec. 31st of each year.**
11. Description of proposed works **underground well, submersed pump, pressure tank, fire storage tank, distribution lines.**
12. Estimated cost of works **\$50,000 (system to be designed when site development plans are completed.**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: A multi-family development is planned for this site. This water will supply 10 apartment unit.

By David A. Richards
s/ David A. Richards
1191 W. Betty Ave.
Pahrump, NV 89060

Compared cm/ cmf dr/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 28201, Certificate 8787 is issued subject to the terms and conditions imposed in said Permit 28201, Certificate 8787 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.020 cubic feet per second, but not to exceed 5.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 13, 2005

Proof of completion of work shall be filed on or before:

July 13, 2005

Water must be placed to beneficial use on or before:

June 13, 2008

Proof of the application of water to beneficial use shall be filed on or before:

July 13, 2008

Map in support of proof of beneficial use shall be filed on or before:

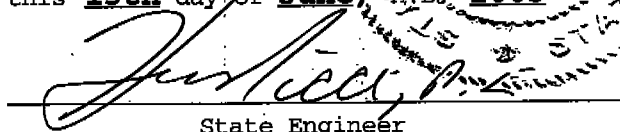
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of June, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A

Certificate No. _____ Issued _____

